



DEPARTMENT OF THE NAVY
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COMMERCIAL
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IN REPLY REFER TO:

4200
Ser 0e1/247
17 March 04

From: Deputy Commander, DON eBusiness Operations Office

Subj: SPECIAL EMERGENCY PROCUREMENT AUTHORITY

Ref: (a) Section 1443 of Public Law 108-136 (National Defense Authorization Act for FY 2004)
(b) FAR Part 2
(c) DASN(ACQ) memo of 4 Mar 04

1. Reference (a) provided Special Emergency Procurement Authority for procurement of supplies or services that are to be used in support of a contingency operation or to facilitate the defense against or recovery from nuclear, biological, chemical or radiological attack against the United States. This authority was incorporated into the Federal Acquisition Regulation (FAR), effective February 23, 2004. Reference (b) raises the single purchase micro-purchase threshold from \$2,500 to \$15,000 for acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack, as described in FAR 13.201(g)(1), except for construction subject to the Davis Bacon Act.

2. Reference (c) delegates authority to the Heads of the Contracting Activities (HCAs) to make determinations that property or services are acquired in support of contingency operations or to facilitate the defense against or recovery from nuclear, biological, chemical, or radiological attack against the United States, and to raise the single purchase micro-purchase threshold up to \$15,000. Micro-purchases using this authority must have a clear and direct relationship to the support of a contingency operation or the defense against or recovery from nuclear, biological, chemical, or radiological attack.

3. Department of Navy (DON) activities which anticipate a requirement to utilize this authority must first obtain a specific grant of authority from their HCA or designee to authorize the use of the increased micro-purchase threshold. Letters of delegation provided to purchase cardholders must be revised to reflect the increased threshold and the authority to purchase supplies and services used in support of a contingency operation or to facilitate defense against or recovery from terrorism or nuclear,

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biological, chemical, or radiological attack against the United States. Finally, Agency Program Coordinators must ensure that CitiDirect profiles of the approving official and purchase cardholder are changed in advance of executing purchases with this increased authority.

4. Agency Program Coordinators, approving officials, and purchase cardholders are reminded that all purchase requirements must be screened for their availability from the mandatory government sources of supply in accordance with FAR Part 8. Purchase cardholders should establish sound levels of documentation for purchases utilizing this increased micro-purchase authority. At a minimum, the purchase or transaction file shall include the approval from the HCA or designee that provides evidence that a clear and direct relationship in support of a contingency operation or to the defense against or recovery from terrorism or nuclear, biological or radiological attack exists for the specific purchase.

5. Activities exercising this increased authority must maintain supporting documentation in the purchase file. At a minimum, activities using this increased authority must maintain which authorization was used, the cardholder name, date of transaction, amount of transaction, merchant name and the specific supply or service purchased under this authorization.

6. Point of contact for this matter is Donald Rhoad, (717) 605-3041, email: Donald.Rhoad@navy.mil.



C. M. VITT

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